

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|---------------|---|------------------------------------|
| RIMSYS, INC., |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 2:23-cv-01630-CRE |
| |) | |
| v. |) | |
| |) | |
| KAREN COHN, |) | |
| |) | |
| Defendant. |) | |

**PLAINTIFF’S MOTION FOR ORDER OF COURT
DIRECTING PRESERVATION OF DOCUMENTS,
ELECTRONICALLY STORED INFORMATION, AND THINGS**

Rimsys, Inc. (“Rimsys”) by and through its undersigned counsel, moves this Court for an Order directing that the documents, electronically stored information, and things related to the claims set forth in the Verified Complaint, including without limitation those requested in Plaintiff’s requests for production of documents directed to Defendant, as attached to Plaintiff’s Motion to Expedite Discovery (*See* Exhibits to Plaintiff’s Motion to Expedite Discovery), be maintained and preserved in their present state, without change or alteration by the Defendant, and as otherwise required by law pending completion of this matter. In support thereof, Rimsys avers as follows:

1. This is an action seeking, *inter alia*, to enjoin Defendant Karen Cohn (“Cohn”) from breaching her contractual, statutory, and/or common law obligations to Rimsys and misappropriating Rimsys’ Confidential Information and Trade Secrets (as defined in the Verified Complaint).

2. Concurrently with the filing of this Motion, Rimsys has also filed a Motion to Expedite Discovery.

3. Some of the documents, electronic information, and things sought by Rimsys are easily destroyable and, in some cases, may be unintentionally destroyed.

4. Rimsys has grave concerns about the destruction of evidence in this case because Cohn has failed to return Rimsys' Confidential Information and Trade Secrets (as defined in the Verified Complaint) that were mailed to her personal email account prior to her resignation from employment.

5. So that Rimsys can adequately prepare for the hearing in this matter, and to prevent the destruction of any evidence, it is necessary that this Court enter an order directing that all relevant information be preserved for the purposes of discovery and the hearing.

6. Cohn will not be harmed by such an Order; Rimsys, however, will be substantially and irreparably harmed by a denial of this request because it could result in the loss and/or spoliation of evidence critical to this case.

WHEREFORE, Rimsys requests that this Court enter an Order directing Defendant Karen Cohn, any other persons or entities within her control and/or supervision, and all other persons or entities acting in concert with her or on her behalf, to preserve, maintain, and protect in their present state from destruction, modification, or alteration, each and any of the documents, electronically stored information, and things related to the claims set forth in the Verified Complaint, including, without limitation, those requested in Plaintiff's First Set of Requests for Production of Documents directed to Defendant, as attached to Plaintiff's Motion to Expedite Discovery, that are in Defendant's possession, custody, or control, pending the completion of this action or until further Order of Court.

Dated: September 12, 2023

Respectfully submitted,

MEYER UNKOVIC SCOTT LLP

By: /s/ Antoinette C. Oliver

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ATTORNEYS FOR PLAINTIFF

RIMSYS, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this **PLAINTIFF'S MOTION FOR ORDER OF COURT DIRECTING PRESERVATION OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS** has been served upon the following this 12th day of September, 2023, in the manner described below:

**VIA HAND DELIVERY BY PROCESS SERVER
AND EMAIL**

Karen Cohn
709 Filbert Street
Pittsburgh, PA 15232
knutsonkarenann@gmail.com

/s/ Antoinette C. Oliver

Antoinette C. Oliver